

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANTONIO CABALLERO,

Plaintiff,

vs.

FUERZAS ARMADAS REVOLUCIONARIAS
DE COLOMBIA, A/K/A FARC-EP A/K/A
REVOLUTIONARY ARMED FORCES OF
COLOMBIA, and THE NORTE DE VALLE
CARTEL,

Defendants,

vs.

JPMORGAN CHASE BANK, N.A.,

Garnishee,

and

SAMARK JOSE LOPEZ BELLO, and JULIO
CESAR ALVAREZ MONTELONGO,

Interested Parties.

CASE NO.: 1:20-cv-11061-VEC (Removal
from N.Y. Sup. Ct. N.Y. Ctny. 154864/2020)

**JOINT STATUS REPORT OF PLAINTIFF ANTONIO CABALLERO AND
INTERESTED PARTY SAMARK JOSE LÓPEZ BELLO**

Plaintiff, Antonio Caballero (“Caballero”) and Interested Party, Samark Jose López Bello (“López”) (collectively the “Parties”) provide the following status report:

On September 8, 2021, the Court stayed these proceedings as to López. ECF No. 41. Such Order was entered pursuant to the Parties’ joint stipulation to stay the case as to López in order to

preserve party and judicial resources as the issues in this case have a substantial overlap with ongoing proceedings in *Caballero v. FARC, et al.*, No. 20-mc-00249-PAC (S.D.N.Y.) (the “Caballero SDNY Action”) and *Stansell, et al. v. FARC, et al.*, No. 1:16-mc-00405-LGS (S.D.N.Y.) (the “Stansell SDNY Action”). ECF No. 40.¹

Subsequently, on April 15, 2024, this case was referred to United States District Court Judge Valerie Caproni. On April 23, 2024, Judge Caproni ordered that the parties must submit a status update every three months beginning on May 1, 2024. ECF No. 64 at 1.

The May 2024 status report provided that: “On August 9, 2023, in the Caballero SDNY Action, Caballero moved the court to voluntarily dismiss the Caballero SDNY Action, without prejudice.” ECF No. 65 at 2 (citing Caballero SDNY Action, ECF No. 104). To clarify, on August 9, 2023, Caballero moved the court presiding over the Caballero SDNY Action to voluntarily dismiss, without prejudice, the specific proceedings therein **regarding an entity unrelated to López**. Caballero SDNY Action, ECF No. 104. Thus, the proceedings within the Caballero SDNY Action regarding López are pending—albeit Caballero’s claims to the blocked assets relating to López are, in essence, being litigated in an interpleader within the Stansell SDNY Action referenced below.

With respect to interpleader proceedings relating to López in the Stansell SDNY Action, such proceedings are stayed as noted by the Stansell/Pescatore plaintiffs in a letter motion to the Court in the Stansell SDNY Action:

Judge Carter’s March 10, 2020 Order staying the Citibank-Lopez Bello execution “pending resolution of the outstanding turnover motions in the Southern District of Florida” [Dkt. No. 67] was

¹ Therein, the Parties stipulated to providing the Court status reports every six months (or earlier if the Court desired and/or required). The Parties previously submitted a status report on September 8, 2022 (ECF No. 58), and the Court subsequently issued a Memo Endorsement thereon on September 12, 2022 (ECF No. 60), which continued the stay of this case as to López.

maintained by Judge Schofield's March 29, 2021 Order. Dkt. No. 196. In late 2022, the Southern District of Florida entered final default judgments against Samark Lopez and his entities and those final judgments are currently on appeal. 11th Cir. No. 22-13798. The Eleventh Circuit heard oral argument on January 24, 2024.

ECF No. 551 at 2. As of today, the Eleventh Circuit has not issued a decision in Case No. 22-13798 relating to López.

Given that the various overlapping issues in the aforementioned proceedings are yet to be decided, the Parties hereby request the Court to continue its stay.

Dated: August 1, 2024.

Respectfully submitted,

/s/ Leon N. Patricios

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***Counsel for Interested Party Samark Jose
López Bello***

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1st day of August 2024, the undersigned electronically filed the foregoing document with the Clerk of Courts by using the CM/ECF system.

/s/ Leon N. Patricios
Leon N. Patricios